THAW DEFENCE IS ALL IN

THE CASE LIKELY TO GO TO THE JURY BY THURSDAY.

Manic-Depressive Insanity Brought Out as Thaw's Allment-Three Experts Make Expected Answer to the Hypothetical Question-Jerome Scores on Them

The defence of Harry K. Thaw closed at 6:30 o'clock last evening. It is not expected that District Attorney Jerome will take more than a day in rebuttal, and the summing up will probably be on Wednesday. Justice Dowling, who has a great regard for speed, may charge the jury on Wednesday evening, but it is more likely that he will send the case to the jury on Thursday morning.

This trial has been shortened by two months as compared with the first trial. Although the hypothetical question was a long one, Martin W. Littleton, Thaw's counsel, read it in such rapid fashion that he did not take more than an hour and a half. Only three experts were examined, and after a brief direct examination they were disposed of by Mr. Jerome, all inside of an hour. Mr. Jerome had not made up his mind last night, but it is doubtful if he will call any experts. Up to last evening he did not have a hypothetical question ready and he has had no alienists in

It was the general impression that Mr. lerome smashed the value of the testimony of the three experts for the defence. He made no attempt to treat their evidence seriously. As an example of his attitude toward them he got from Dr. Britton D. Evans the admission that at the last trial he swore that when Thaw killed White he was suffering from a brainstorm and then let him go.

If there is no hitch in the plan of last evening the testimony of Abe Humme about the affidavits he says Evelyn Nesbit made in his office against Thaw will be taken at his bedside in the penitentiary on Blackwell's Island. Mr. Jerome said that he got word that Hummel was so sick he could not be removed from his bed. Mr. Jerome wanted Mr. Littleton to consent to Hummel's testimony at the last trial being read, but Mr. Littleton made some remarks about Hummel's reputation for suborning perjury and refused to consent.

Justice Dowling announced that Hummel's testimony would be taken this evening. Justice Dowling, the lawyers for both sides and newspaper men will be present, it is understood. The jury will not be present and Hummel's deposition will be read to them.

What Thaw suffered from when he was in Europe, when he killed White and at other times, was manic-depressive insanity. according to the testimony yesterday. This form of insanity was described as a combination of excitement and melancholia. It is recurrent and there is no way of telling generally when a person who suffers from it may have another attack. This phase of the disease interested Justice Dowling, who asked the experts some questions which may have a bearing on what will happen to Thaw should the jury acquit him.

The manic-depressive insanity was introduced by Dr. Sidney Russell Wells of London, who told of Thaw jumping around in his pajamas, scaring a nurse and later calling for twenty tons of ice and a squad of nurses. Other foreign witnesses told of things Thaw did abroad. All said that he did not have delirium tremens. The doctor who treated Thaw after he is said to have attempted suicide in Paris by taking laudanum testified that he pumped him out, but he did not say that he found traces of laudanum.

The defence did not succeed this time in getting in the will Thaw made on the day of his marriage to Evelyn Nesbit.
One of the last things decided by Justice
Dowling was that it had not been properly
identified as being in the same condition as when it was made.

DR. BINGAMAN TESTIFIES

The Thaw family physician, Dr. Charles F. Bingaman, was first on the witness stand when court opened. He is just recovered from an attack of pneumonia and he looked white and feeble. He told the jury that he first saw Harry Thaw when the latter was a child of 2 and was recovering from a first saw Harry Thaw when the latter was a child of 2 and was recovering from a nervous attack. The child lay in a heavy stupor. He slept little and his digestion was bad. The boy was excessively nervous throughout his childhood and had long periods when he slept little. When he was 6 or 7 years old he had St Vitus dance in a marked form.

a marked form.
"I saw him at his home in Pittsburg in November in 1903," said the physician, "and he was then in a highly excitable condition." This was just after Thaw had returned from Europe, where Evelyn Nesbit had told him of the relations between her-self and Stanford White. Dr. Bingaman's next view of Thaw was about two months

after the killing of White.

"I saw him at the Tombs," said the doctor. "and he shook hands with me through the bars. Dr. McGuire, the prison physician, was with me, and as Thaw had the bars of bis cell stuffed with newspapers Dr. McGuire told him that he'd have to take them down. 'All right,' he said, 'but if I should take cold and die it wouldn't look very well for this institution.' After that he told me it was part of a general conspiracy to see that he caught cold and died. He declared that several rich men had conspired in various ways to bring about his death so as to prevent him from exposing their evil deeds. He asked me if I noticed anything out of the way about the action of his heart adding that the doctor who had examined him since the 'act of Providence' had found his pulse peculiar. He seemed very nervous

Dr. Bingaman said that Thaw's acts and Dr. Bingaman said that Thaw's acts and appearance at that time seemed to him irrational. On cross-examination the witness said that at first he diagnosed the convulsive fits that Thaw used to have as fits of infantile anger, but later on he changed his mind and thought they were due to nervous disease.

A PHYSICIAN FROM LONDON. The first of the foreign physicians summoned in the case was then called to the stand. He is Dr. Sidney Russell Wells, one of the governing board of the University of London and an attending physician at several London hospitals. He boasts a very pretty red beard and a mustache of a tint no less figure and the contrast be-

very pretty red beard and a mustache of a tint no less fiery, and the contrast between his manners and his whiskers could not possibly be greater. His voice was so gentle that he was all but inaudible.

Dr. Wells testified that in July, 1899, he was called to Claridge's Hotel in London to attend Thaw. He found him very nervous and excitable. He couldn't seem to talk consecutively and his pulse was rapid. He gave him an opiate and called again the next morning. At that time he diagnosed the case as one of mild mania. He sent for a trained nurse and put her in sent for a trained nurse and put her in charge at once. The next time he called he found Thaw dancing around the room clad only in his socks and in the jacket of "He was demanding that the nurse should

help him put on his trousers," continued the doctor, grinning quite frankly, "but I quieted him by telling him that that was not a proper request. At that he danced around the room again using, oh, very blasphemous and er—yes—obscene language."

"How did you diagnose his case?" asked

As subacute mania," said' the physician. "I got him an enormous room at the Devon-shire Nursing Home. He said he wanted a big room, and I got the biggest they had. When we got him into it he complained that he couldn't breathe because it was so

"Did he say anything about wanting some ice?"

TONS OF ICE AND A SQUAD OF NURSES. "Oh, yes. He said he wanted a great

quantity of it—I believe about twe nty tons. He asked to have it stacked up all about the room so that it would cool him off."

"Did he have any fever at the time?"

"No, none at all. I told him so, but despite the evidence of the thermometer he insisted that he should have the ice. He insisted that he was burning up with fever."

"Did he say anything about wanting more nurses?"

"Yes," said the witness with another reminiscent grin. *He said he wanted a corps of them—twelve or twenty, I believe he said. He declared that he wanted to have them put in a squad and drill them."

Dr. Wells said that the mania lasted for about six days and that Thaw was entirely wall account for some nervousness at the

well except for some nervousness at the end of nine days. He never showed any signs of delirium tremens.

"What was his condition when he left the hospital?" asked Mr. Littleton.

"He was very nervous—I believe he comes of neurotic stock," said Dr. Wells, "but he was perfectly rational. I treated him twice after that the percent foliad any but he was perfectly rational. I treated him twice after that, but never found any conditions like the ones I have described."

Mr. Jerome wanted to know if the witness considered it a typical case of acute mania when a man raved for five days and mains when a man raved for five days and recovered sanity in two more. The doctor said he did. He then asked what authorities the witness had studied upon the subject of insanity. Dr. Wells mentioned several, but said he wasn't familiar with the writings

of Krafft-Ebing, the neurologist upon whose achievements and works the Dis-rict Attorney placed so much stress at the first trial.

Mr. Jerome seemed very anxious to know whether Thaw after recovering from this attack of subacute mania, which the witness said was known on the continent as manic depressive insanity and was recurrent, remembered any of the things he had done while he was raving. Dr. Wells said he believed he did remember dancing about the room with only his socks and about the room with only his socks and pajama jacket on, because he apologized

o the nurse. The District Attorney's manner of questioning the witness displeased Mr. Little ton, who said it was "an undignified way to conduct this examination.

"That comment is unnecessary, Mr. ttleton," said the Court sharply. "If you desire to lodge an objection you may Wells also told Mr. Jerome that Thaw

on being moved to the Devonshire Nursing Home, desired to have the walls pulled down so that he could get more air. Miss Lillian McBride, the nurse who attended Thaw at the instance of Dr. Wells, told of Thaw's antics at Claridge's and the Devonshire Nursing Home, repeating the story of how he got out of bed and danced about the room almost naked and using

about the room almost naked and using very dreadful language." "I was about to ring for help when Dr. Wells arrived," she said. "When he got to the Devonshire Nursing Home he wanted the walls pulled down and lots of ide-tons of it—twenty tons, if I remember correctly, though it was quite cool at that time in London." She, too, told of Thaw's expressed desire

to have a squad of nurses formed so that he could drill them. She never noticed any signs of delirium tremens. She thought Thaw appeared most irrational.

Miss McBride told Mr. Jerome that Thaw often spoke as if he intended violence, and that it was often hard work to keep him in

DOCTORS FROM ROME AND PARIS.

Dr. Frederick H. Burton Brown, a very British person indeed, said that he used to be the official physician of the British Embassy in Rome. His residence in Italy, it may be said, has left no trace upon his accent. On March 9, 1902, he was called in to see Thaw at his hotel in Rome. He found that at first Thaw didn't remember having summoned him. Thaw soon re-called the fact, however, and submitted to an examination, though he kept jumping up and throwing parcels and papers about his room and running into the bathroom and back again. He had a decided fever, the clinical thermometer showing 1:1

He told me." said the witness, "that he had to go to a reception that night. I said t was out of the question, but the next day learned that he had done so. I then no a nurse in charge of him and she remained three or four days. I thought it a case of mild mania. There was no indication of delirium tremens."

An interpreter had to be called on to

deal with the next witness, who was Dr. Maurice Gauja, house physician of the Palais d'Orsey Hotel in Paris. The defence called him apparently to back up young Mrs. Thaw's story about Thaw having attempted suicide by laudanum in Paris

Dr. Gauja testified that he was calle I to Thaw in the spring of 1904 at the not and he had found him in bed. There was a young woman in the room dress dendis a-He didn't know whether it was the

young man's wife or not.

"The patient had a spasm of the stomach every few minutes," the interpreter said the witness said, and the doctor thought at first that the trouble was prisming "crist! by some alimentary cause." The witness's

further remarks were represented thats of the interpreter, himself considerably French "I want home and took a rubber pipe to make the cleaning of the stomach and I made a lavage of the stomach. After that lavage he appeared to be better. The next day I called one more time, but I was told that the sick person was better and that

my visit was not asked for that day. The witness said that his first impression was that the trouble was ptomaine poisoning. He couldn't say whether it was really lauda He saw no symptoms of alcoholic poisoning.

ENTER THE HYPOTHETICAL QUESTION. After that they lined up the three experts for the defence—Drs. Smith Ely Jelline, Charles G. Wagner and Britton D. Evans—and gave them the oath. They took seats behind the witness chair and Mr. 1 ittleton started to fire at them his hypothetical question.

tion.

They all looked wise and paid the closest attention, quite as if they had no notion of what was coming, although they had been what was coming, although they had been engaged in the preparation of that 15,600 word question for the last week or so. Harry Thaw had a copy of the question and appeared to follow the reading as closely as anybody else. Mr. Littleton hadn't gone very far, however, when a recessor was codered.

recess was ordered.

The reading of the hypothetical question was resumed after recess. Mr. Littleton made a fast job of it. It took him about an hour and a half to dispose of some 15,000

an hour and a hair to dispose of some 15,000 words.

The question embodied the testimony of Mrs. William Thaw and other members of the family regarding insanity in the Thaw family. The testimony of the foreign doctors and nurses at the morning session, describing Thaw's manner as wild, staring and manic-depressive, was included. The question covered the trip to Paris by Thaw and Evelyn Nesbit and of his offer to marry her and her refusal, winding up with her her and her refusal, winding up with her explanation that she could not marry him because of her relations with White. All that Evelyn told Thaw about her relations with White was retold, including her visit to Hummel's office.

Thaw's depression when he got to his mother's home in Pittsburg after his trip to Europe and his recital to his mother about wanting to marry Evelyn and of her reasons for refusing to do so were in-cluded and there was mention of Thaw's

proposal that he and Evelyn Nesbit commit suicide and of his wife's description of how he tried to kill himself in Paris. After Mr. Littleton had finished reading the question there was a recess because District Attorney Jerome was before the Grand Jury. Mr. Jerome was still before the Grand Jury when court reconvened, but Dr. Wagner was called to the stand. He said that it was his opinion that Thaw was of unsound mind when he examined him in the Tombs. It was his belief, also that, assuming that the statements in the hypothetical question were correct. Thaw was of unsound mind on the night he killed was of this out in mind on the light he killed.
White and that he did not know the nature and quality of his act and that it was wrong, that being the legal definition of insanity.

Dr. Wagner went into a rather long definition of manic depressive insanity.

Sum-

nition of manic depressive insanity. Summarized it was simply excitement and melancholia, one or the other or both. The attacks were recurrent but there was no general way of telling when they might recur. He described some of the acts of Thaw, such as attempting suicide, not fipishing letters and making frequent telephone calls, as those of a man suffering from manic depressive insanity.

manie depressive insanity. COURT QUESTIONS DR. FAGNER. terested in Dr. Wagner's testimony, and when Mr. Littleton got through he asked a few questions himself. Those who heard the questions thought that Dr. Wagner's answers may have great bearing on Justice Dowling's action if Thaw is acquitted on

round of insanity. ling, "that these attacks of manic depressive

ling, "that these attacks of manic depressive insanity are apt to recur?"
"It is," said Dr. Wagner.
"Is there any certainty or way of telling when they will recur?"
"There is not," said Dr. Wagner.
"Is it not a fact that they are more apt to recur when the symptoms of disease have been noticed in early life than when they come later?" they come later?"
"I do not think that is so," said the wit

ess.
"What is your opinion?" asked Justice Dowling.
"In my opinion there is no guide that can
"lid down which will enable us to form

be laid down which will enable us to form any opinion."

There was no general way, the witness There was no general way, the witness said, of telling when the lucid intervals would return, but it might be possible to tell in individual cases.

Dr. Evans, like Dr. Wagner, said that

Thaw was of unsound mind when he ex-amined him in the Tombs and that he did ammed him in the Tomby and that he did not know the nature and quality of the act and that it was wrong when he killed White. He wasn't asked anything about, manic-depressive insanity, but Dr. Jelliffe, who was called next, was. He didn't examine Thaw in the Tombs, but he said that on the hypothetical question Thaw did not under-stand what he was doing when he killed White. His description of manic-depres-sive was about the same as Dr. Wagner's. sive was about the same as Dr. Wagner's but he added that there were mild and violent forms of it. The attacks varied so much it was impossible to tell when they might recur. So Justice Dowling had a question to ask. "Do you mean to say," he said, "that a

who has one of these attacks would commit an assault?"
"Yes," said Jelliffe. "They beat around, knock around, tear clothes, run through the streets or wards of institutions and do other maniacal acts."

A HALF HOUR FOR JEROME TO STUDY. It was near to adjournment time and Jerome, who had just got through the Grand Jury, came into court. He said manic-depressive was a new element injected into the case, and while he knew something about insanity he thought he ought to have a chance to specialize on this particular form. Justice Dowling gave him half an hour's adjournment, but no more, saying that he was going to get

through with the expert last night.

As soon as the half hour was up Mr.
Jerome called Dr. Evans to the stand.
Mr. Littleton made a protest. He said
Dr. Wagner should be examined first. Mr.
Jerome said he would examine Dr. Evans
fort or schooly. Justice Dowling ruled that first or nobody. Justice Dowling ruled that the District Attorney should have his way, with the result that Dr. Evans, somewhat flushed, was produced from the corridor or somowhere thereabout. "Did you," said Mr. Jerome right off the

bat, "testify at the last trial that Thaw killed Stanford White while suffering from brainstorm? a brainstorm?"
"Objected to," said Mr. Littleton, "as there is no such evidence in this case."
"Overruled," said Justice Dowling

promptly.

Dr. Evans balked. He said it was during a brainstorm; he was describing a condition, not classifying a disease. Mr. Jerome had all these explanations stricken out, insisting upon a direct answer, and re-

DR. EVANS ADMITS THE BRAINSTORM. "Was it not your opinion at the last trial that Thaw, this defendant, killed White

while suffering from a brainstorm?"
"Y-e-s," said Dr. Eyans very reluctantly.
"That's all," snapped Mr. Jerome.
Dr. Evans told Mr. Littleton that brainorm was not a common expression, but was used to describe a condition and not a disease, and it was in the books on mental and nervous diseases. But Mr. Jerome didn't care to hear any more from

Dr Evans and he let him go.
Dr. Jelliffe was called next for cross-examination. Mr. Jerome asked him one two questions. Did you say at the last trial in answer to a question from me that you did not form of insanity Thaw was laboring when he shot White?" he asked.

"That is all." said Mr. Jerome. But the hypothesical question was not the same, Dr. Jelliffe insisted to Mr. Little-There was a good deal that was new including the reference to hereditary isonity and the evidence about Thew's ons abroad and his attempt at suicide. "And without that evidence you swore that the defendant was of vuscund mind when he shot Stanford White?" said Mr.

Jerome.

"I did," said the witness.

"That is all," said Mr. Jerome.
Dr. Wagner was the last to be cross-examined. The first thing Mr. Jerome sprang on him was an affidavit he made on the application made by Mr. Jerome for the appointment of a lunacy om nission. The affidavit was made for the defence in opposition to the motion and gave in detail conversations. Dr. Wagner had

in detail conversations Dr. Wagner had with Thaw while James Clinch Smith was on the stand. The affidavit was made for the purpose of showing that Thaw knew what was going on and was able to advise with his counsel.
One statement Thaw made was that One statement that made was that. Smith was wrong when he said that Thaw told him he bought only three tickets for the show that night. He told him he bought four and gave one to Capt. Wharton. Mr. Littleton made a vigorous objection to the admission of this testimony. He fought

hard, principally on the ground that it was compelling Thaw to give evidence against himself, but Justice Dowling let it in. Thaw said also that he did not know that Smith was a brother-in-law of White; he thought he was some relative with whom White had had trouble. According to the affidavit Thaw said also that he told Smith t was his custom when the play was dull o walk around and look at the audience. "And did not Thaw say to you," said dr. Jerome very solemnly, "that it was not Mr. Jerome very solemnly, "that it was not true that he had been looking at White? Didn't he say that he didn't see White until

he was leaving the Garden, when he was attracted by a noise on the stage—a duel scene—and then his eyes fell upon the

monster?"
Dr. Wagner said that if it was in the affidavit Thaw had said it. Mr. Jerome asked Dr. Wagner if he had helped prepare the hypothetical question and he said he had very little to do with it. Mr. Littleton kept up a running fire of objections and Mr. Jerome made a few tart replies.

"He's a nervous, exceedingly nervous District Attorney," said Mr. Littleton, who seemed to be a bit rattled.

"And did you notice," said Mr. Jerome to the witness, "that no part of James Clinch to the witness, "that no part of James Clinch Smith's testimony is in this hypothetical

question? THE DEFENCE RESTS.

After a bit of quibbling Dr. Wagner said he had noticed it. There were a few more questions and Mr. Littleton said: "The defence rests, unless there may be one or two witnesses who have been over-

examination of three experts in an hour, quite a difference from the first trial, when took days.

it took days.

Mr. Jerome made his motion for the taking of Hummel's testimony, unless the defence would consent to it being read from the last trial. He said he had been informed that Hummel was very sick and could not be brought to the trial room. Hummel's testimony is wanted on the affidavit which Evelyn Nesbit is said to have made in his office accessing Thaw after she had been in Europe with him.

Mr. Littleton would not consent to Hum-Mr. Littleton would not consent to Hum-mel's testimony being read. He said that Mr. Jerome would not agree to the same

proposition on the testimony of Dr. Binga-man of Pittsburg, who is sick, and Lawyer John B. Gleason, both reputable men. This man was convicted of subornation of perjury by the District Attorney," said Mr. Littleton, "and he is unworthy of be-

didn't get beyond that, however, as Justice Dowling said that had nothing to do with it. He said he would require from the District Attorney an affidavit that Hummel was ill and then the visit would be paid to Hummel. Justice Dowling seemed to think that there was no need of it, but Mr. Littleton stuck to his guns not Justice Dowling seemed to be much in- to have Hummel's testimony read

TEXTILE-ADVERTISING-OPPOR-TUNITY.

TUNITY.

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DIDN'T ASK BRYAN TO QUIT

CAMPAU AND JONES TALKED RE-PUBLICAN POLITICS.

They and Bryan Ciphered Out That Speaker Cannon Was the Likeliest Republican Nominee Campau Believes That Hearst Will Have to Support Bryan.

Daniel Campau, Democratic national ommitteeman for Michigan, came over from Washington yesterday and was at the Hoffman House last night. It was Mr. Campau, who with ex-Senator James K. Jones of Arkansas, Democratic national chairman in 1896 and 1900, called on William J. Bryan at the New Willard on Sunday. on which occasion it has been alleged that Jones requested, even demanded, of Bryan that he retire as a Democratic Presidential possibility. Mr. Campau gave this version of the call last night:

"I accompanied Senator Jones to Mr. Bryan's room and we were together there most of the afternoon. No man in the room, Mr. Bryan, Mr. Jones or myself, discussed Democratic politics, and I am sure that at no time did Mr. Jones request or demand of Mr. Bryan that he retire. I am certain about this. We discussed Republican politics, the probable candidate of the Republican party, and not a word was said about Bryan retiring. He is to be the candidate of the Democratic party for President, and of that there is no pos-sible doubt. When I read some of the afternoon papers to-day I called up Senator Jones over the long distance telephone and asked if he had had a second interview with Mr. Bryan and had made any request or demand such as was printed this after noon of Mr. Bryan. Senator Jones replied that he hadn't seen Mr. Bryan a second time and that there was no truth in the

reports."
"Well, who's to be the Democratic candidate for Vice-President?" Mr. Campau was

"I rather think," replied Mr. Campau, that Lieut.-Gov. Chanler of New York could have the nomination if he desired it. We must carry New York State in order "Who did Mr. Bryan, Mr. Jones and yourself decide was to be the Republican candidate for President?" Mr. Campau

was asked. replied Mr. Campan, "we rather thought that Speaker Cannon stood the best chance. From the situation in Ohio and in New York State Speaker Cannon, in our judgment, seems to be the more logical candidate for the Republicans to nominate. Of course, we would like to see the Republicans nominate Gov. Hughes.

"You see," answered Mr. Campau, "with the present temper of the people aroused against the railroads, it would be a very easy matter for the Democratic party to put Hughes on the shelf because of his veto of the two cent fare bill."

"What is Mr. Hearst's position in the Democratic party?"
"Many believe," replied Mr. Campau, "that Mr. Hearst is training his Independence League to succeed the Democratic The Independence League is to have a meeting in Chicago on February 22 to elect a national committee. I believe that Mr. Hearst will support Mr. Bryan, because he could not successfully appeal to the Democrats to support the Independence League in the movement to supplant the Democratic party if he did support the regular candidate

NO HOPE FOR BECKHAM. New Combine to Make John R. Allen U. S.

Senator From Kentucky. FRANKFORT, Ky., Jan. 27.-It became known here to-night that a conference was held on Sunday in Louisville between the Beckham and anti-Beckham members of the Legislature and that a compromise has been agreed upon by which John R. Allen of Lexington is to be made United States Senator to succeed James B.

McCreary.
The Beckham people, or at least a ber of them, have given up hope, and others have never intended that Beckham should be elected with their votes, and these, together with the Louisville members. Rep. resentative McKnight and Senator Campbell, and the Republican members, or a number of them, have agreed to vote for Allen the minute they find he can come near the winning line. Former Governor Bradley, the Repub-

lican candidate, is said to have agreed to the scheme. Leaders of the movement among the Beckham men are Represen-Klaire of Lexington and Senator Renaker of Cynthiana. One man who pre-fesses to be on the inside thinks the surprise will be sprung to-morrow.

The Weather.

A northwestern storm which had its centre over the upper Lake regions on Sunday was central over the middle St. Lawrence Valley yesterday norning, with snow falling in the Lake regions, the upper Ohio Valley and western New York and Pennsylvania and rain or snow in New England. Rain fell in the early monrning on the middle Atlantic coast.

High west and southwest winds prevailed along

the middle Atlantic and New England coasts.

The only storm formation approaching was central north of North Dakota and was causing very little disturbance,

Avarmer weather covered Montana, Minnesota
and the Dakotas as well as the entire Atlantic

coast. From the Lake regions south to the Guif and in the Mississippi Valley it was colder. Zero and below were recorded in the northern Lake districts and northern Minnesota. Duluth has 2 degrees below. In this city the day was fair and warmer in the

morning, growing colder; wind, brisk to high westerly; average humidity, 52 per cent.; barometer, corrected to read to sea level, at 8 A. M., 29.27; The temperature yesterday, as recorded by the official thermometer, is shown in the annexed table

9 A. M. 39° 15° 6 P. M. 31° 12 M. 39° 21° 9 P. M. 29° 3 P. M. 32° 22° 12 Mid. 33° Highest temperature, 46°, at 3 P. M.
WASHINGTON FORECAST FOR TO-DAT AND TO-MORROW. For eastern New York, fair to day; snow in north

ern and snow or rain in southern portion to morrow fresh winds, becoming southerly. For New England, fair to-day, colder in Maine snow or rain to morrow in southern and snow in northern portion, except fair in eastern Maine. diminishing westerly winds, becoming variable.

For eastern Pennsylvania, increasing cloudiness to-day with snow or rain at night and to-morrow:

fresh, variable winds, becoming southerly.

For New Jersey and Delaware, fair to-day; rain or snow to-morrow; fresh winds, becoming south-For Maryland and Virginia, fair to-day and warmer in western portions; rain or snow to mor-row; light to fresh winds, becoming southerly. For the District of Columbia, fair to-day; rain or snow to-morrow; light to fresh winds, becoming

southerly.
For western New York, cloudy to-day, anon along the Lakes and warmer in western portion; anow to-morrow: fresh to brisk variable winds, becoming southwesterly. DINNER IN HONOR OF BRYAN

SENATOR NEWLANDS GIVES IT AT HIS COUNTRY HOME.

Will Give Another Dinner To-night in. Bryan's Honor-Several Democratic Senators Were Anxloys to Tell Bryan to Retire, but Lacked the Nerve.

WASHINGTON, Jan. 27 .- While two Great Dane dogs guarded the entrances to Senator Francis G. Newlands's beautiful country home on Woodley lane to-night, Mr. New lands entertained at dinner in honor of William Jennings Bryan. The guests present were former Attorney-General Judson Harmon of Cincinnati and fourteen of Mr. Newlands's Democratic colleagues in the Senate. To-morrow night Mr Newlands will entertain at dinner again n honor of Mr. Bryan and the guests will be all the rest of the Democratic Senators with the exception of Mr. Teller of Colorado, who declined on the ground that he doesn't go to evening functions.

To-night's dinner, as to-morrow's will be, was an alphabetical affair. Mr. Newlands took the list of the thirty Democratic Senators, omitting his own name, and asked the first fifteen to sit at his board this evening and the other fifteen to come to-morrow. enator Bailey of Texas was the only man of the first fifteen who declined the invitation. He would not say to-day why he had declined.

Senator Daniel of Virginia told Mr. Newlands that he would not attend the dinner if it was to have any political significance and Mr. Newlands assured him that it would not. Those present to-night were Senators Bacon, Bankhead, Bryan, Clarke, Clay, Daniel, Davis (Jeff), Foster, Frazier, Gore, Johnston, Latimer and McCreary. To-morrow's dinner guest list will begin with Senator McEnery and end with Senator

dinners around the Senate to-day and in spite of Mr. Newlands's assurance to Mr. Daniel there was a strong suspicion that Mr. Newlands would be unable to prevent the affair from taking a political turn. According to a report Senator Clay of Georgia went to the dinner prepared for Georgia went to the dinner prepared for any emergency, which meant that if the question of Mr. Bryan's availability for another nomination for the Presidency was broached Mr. Clay would say some things in a firm but friendly way to indicate that he thought Mr. Bryan should retire from the receipt form the receipt form. from the race in favor of some other promi-nent Democrat, who would have a better chance of election.

Several of the Southern Democratic Senators have been extremely anxious to say to Mr. Bryan that he ought to let someody else have the Presidential nomination is year. These Senators had talked the thing over among themselves and were planning to bring the suggestion to Mr. Bryan's attention during his present visit to Washington, but when the time came for action they lacked the necessary nerve to carry out the idea.

was understood among them that Senator Clay contemplated giving out an interview for Mr. Bryan's especial benefit, in which he would furnish reasons why Mr. Bryan should withdraw his name from the consideration of the contemplation of the contemplati onsideration as a candidate, but Senator Clay was persuaded that this would be injudicious, and so the plan to have Mr. Bryan realize that leaders in the Democratic party believed that the good of the party demanded the nomination of another man

fell by the wayside.

Mr. Bryan said to-day that since he had been in Washington nobody had suggested to him that he decline to run for President again. He smiled when he said it. He did not see William F. Sheehan of New York or ex-Senator James Smith of New Jersey, whose visit here was supposed to be for the purpose of advising Mr. Bryan to with-

In the course of several hours spent at the Capitol to-day Mr. Bryan saw many Democrats and a considerable number of Republicans. He made his headquarters in the Ways and Means Committee room on House side. Mr. Bryan went to the press gallery and

for a time watched the proceedings of the House, where Representative Fowler was undergoing a hazing by members because he wanted to obtain time in which to ex-pound his ideas on his financial bill. Mr. Fowler's experience, Bryan, "reminds me of the man who started to get over a fence into a lot in which there was a ferocious buli. The idea struck him that it would be funny if he could get the bull by the tail and throw him over the that it would be funny if he could get the bave all heard that many Democrats would like to have Mr. Hearst nominated for the Vice-Presidency, but I do not believe that Mr. Hearst would take that place."

that it would be funny if he could get the bull by the tail and throw him over the fence. The thought appealed to the man so humorously that he sat down and for half an hour he laughed as hard as he could be might and climbed. an hour he laughed as hard as he could. Finally he subdued his mirth and climbed over the fence. Some time afterward, when he came to, he aroused himself and said 'Gee, but it was a good thing that had my laugh first.' Pernaps," said Mr

Bryan, "it may be a good thing that those members who are poking fun at Mr. Fowle: are having their laugh first." Discussing financial legislation Mr. Bryan "For lack of public confidence the best remedy is insurance of bank deposits and I have urged upon the various States and Congress the passage of some measures similar to the law adopted by Oklahoma. This provides for the creation of a guaranty fund by assessments on banks in propor-tion to their deposits and authorizes the panking board to make such assessments from time to time as may be necessary to restore the guaranty fund when it has been lowered by payment of money to depositors of failed banks. This permits the resources of all the banks to be the resources of each bank and insures each depositor against loss. The Oklahoma statute p mits national banks to take advantage the State law and a national law should permit State banks to come in under the provisions of that law in States which have

no guaranty system."
It was midnight before Senator New-lands's guests left his house. After the dinner the party adjourned to the drawing dinner the party adjourned to the drawing room, where there was a general discussion of Democratic and Republican policies, Mr. Newlands taking a leading part. Mr. Bryan had very little to say, confining his conversation mostly to agreeing to the sentiments expressed by others present. While the idea of suggesting to Mr. Bryan that he withdraw from the Presidential contest was in the minds of a majority of those present, nobody had the courage to those present, nobody had the courage to broach the subject, and the discussion ended without incident. It was apparent that the movement among Southern Senators to have Mr. Bryan withdraw died then and

M'CARREN'S FOES ACTIVE. Grand Assault on the Brooklyn Senator

Planned for the March Primaries. The foes of Senator P. H. McCarren in Brooklyn apparently are going to make another attempt at the March primaries to weaken his leadership in the Democratic organization. . They have no expectation whatever in winning out in the general fight, but hope that by defeating his followers in a few Assembly districts they can seriously discredit his leadership and possibly have his delegation ousted from the

State convention. James Shevlin, who is the recognized chief of the anti-McCarrenites, has been chief of the anti-McCarrenites, has been holding confabs daily with the leading opponents of the Senator, and it was announced yesterday that all the hostile elements would combine in a general assault on his political forces all along the line at the coming primaries.

Michael J. Flaherty since his retirement from his snug official job as Sheriff at the beginning of the year has been devoting himself mainly to working up anti-McCarren sentiment, and there was a rumor among his followers yesterday that he had received assurances of the powerful sup-

among its intowers yestertay that he had received assurances of the powerful support of Charles F. Murphy in the crusade against the Brooklyn Senator. Bird S. Coler, President of the borough, is of course another big gun in the anti-McCarren

TAKE LAXATIVE BROMO Quinine Tableta, Drug-gista refund money if it falls to ours. E. W. SHOVES signature is on each boa. 28.—Ads.

CHEAP, EFFECTIVE, PALATABLE.

APENTA

HUNGARIAN NATURAL PURGATIVE WATER

BERMEL AND A PARK SCANDAL

QUEENS GRAND JURY MAY CON-NECT THE TWO.

Borough President's Name Officially Mentioned in the Kissena Investigation-An Obdurate Witness is Directed by the Court to Answer Questions About Him.

For the first time since the scandal arising from the sale of eighty-seven acres of swamp land known as Kissena Park to the city for more than \$500,000 became public the name of Joseph Bermel, President of the Borough of Queens, was officially brought into the investigation yesterday when Deputy Attorney-General Nathan Vidaver appeared before Justice Garretson in the Flushing Supreme Court. George Motz, a notary public and in the employ of the Welz-Zerweck Brewing Company of 1562 Myrtle avenue, Brooklyn, had refused to answer questions put to him before the Grand Jury now sitting in Long Island City and Mr. Vidaver had him sum moned before the court.

Vidaver was accompanied by Detective Sergeant George Wheeler, attached to the office of the District Attorney of Queens county, while Motz insisted in taking along his counsel, Congressman William Willet, Jr., of Far Rockaway. Following a few minutes conference between Mr. Vidaver and the Justice in chambers Justice Garretson took his seat in court Mr. Vidaver made known his mission. He began by saying: "I have been assigned by the Attorney General as a special deputy to conduct the investigation now going on before the Queens county Grand Jury in relation

known as Kissena Park.
"To-day there is being presented to the Grand Jury the case of the People of the State of New York against Joseph Bermel." This announcement created a stir in the crowded court room, the public coupling of President Bermel's name with the scands taking everybody by surprise. Continuing, Mr. Vidaver said that George Motz, a witness before the Grand Jury, had acted in "contumacious manner," declining to

to the sale of a plot of land in Flushing

answer questions put to him.

"He was asked concerning two mortgages issued by Joseph Bermel to which he (Motz) is alleged to have appended his signature in his official capacity." Furthermore, Mr. Vidaver said, Motz had declined to accomvidaver said, Motz had declined to accompany him to court unless he could bring along Congressman Willett as his counsel.

"Motz is not charged with any crime," continued Mr. Vidaver, "and has no right to be represented by counsel. The people should know that justice cannot be interfered with in this way, and lask your Honor fered with in this way, and lask your Honor therefore to have Mr. Motz fined for con-

tempt of court or severely punished."

When Motz got up in answer to his name Congressman Willett attempted to accompany him to a place in front of the Justice, and the latter said: "It is not necessary for you to say anything at this time. Mr. Motz is not entitled to counsel at this stage of the proceedings,

as he is not on trial."

Reviewing Mr. Vidaver's statement, the Court concluded his remarks by saying: "Mr. Motz, you have taken an entirely defensible and inexcusable position in refusing to answer. You must answer the questions. They do not involve you criminally. Your refusal to answer is inexcusable contempt of court. Go back and answer

the questions or you may find yourself in the custody of the Sheriff." After again refusing to allow Congressman Willett to make an argument the Justice directed Mr. Vidaver to have a transcript made of Motz's examination to be used in contempt proceedings should be still de-cline to answer. It was rumored in Queens that Motz continued obdurate before the Grand Jury after his return, but what the outcome was could not be learned. Mr. Vidaver remarked that he might find it necessary to go before Justice Garretson

again to-day. The trend of Mr. Vidaver's inquiry indi-cates that he is pursuing a different line from that followed by the two preceding prand juries and that he is trying to find out if there was any division of the enormous profits of the sale to persons holding official positions. Lawyer George L. Glasser, who said he received \$66,000 in commissions from the sale, but gave \$28,000 of it to a man named Dunham Cocksetter down in Florida for investment, got back from the South yesterday, where it is said he went in search of Cocksetter. President Bermel was one of the party that went South with Glasser at the time this alleged investment was made. Through Motz the Grand Jury, it is understood, are trying to determin date on which a mortgage amounting to about \$8,000 was executed. This is one of the sums of money said to have been de-posited by a Queens official and which is supposed to have been raised on a mortgage. To-day's hearing before the Grand Jury promises to be very interesting. Curren rumor says that indictments will be returned

WOODRUFF FOR DELAY. Brooklyn Organization Not Likely to In-

dorse Hughes Formally. The next regular meeting of the Republican county committee in Brooklyn is not due until well on in April, and there is no intention on the part of Timothy L. Woodruff, the State chairman and county leader to have a special one called for the purpose of indorsing Gov. Hughes for the Presi-

Mr. Woodruff remarked yesterday that he saw no reason for having a special meeting called, inasmuch as there was no resolution indorsing Gov. Hughes's candidacy pending before the county committee as there is in New York county. According to Mr. Woodruff the proper time and place for set-tling such questions is at the March pri-

A special meeting of the county committee can be called at any time by a petition of a certain number of the delegates, but the supporters of Gov. Hughes are not likely to adopt this plan, their purpose being for the present to avoid any direct clash with the

present to avoid any direct clash with the organization managers.

A district leader who is strongly opposed to Gov. Hughes intimated fast night that in case a special meeting was called by petition it very likely would prove a fizzle through the absence of a quorum.

"If the Hughes boomers," he said, "try to force our hand in this way there will not be enough delegates present to transact any business."

JOHNSON NOT A CANDIDATE, But He Has Not Said Specifically That He Would Not Run Against Bryan.

St. Paul, Jan. 27.-Former Lieutenant Governor Frank A. Day, Gov. John A. Johnson's private secretary, as a result of inquiries said to-night that Gov. Johnson had not declared specifically shat he would not run against William Jennings Bryan for the nomination for President and that the Goveror thinks he has covered the ground when he stated some time ago simply that he was not a candidate for the nomination.

NO EXTRA CHARGE FOR IT Advertisements for TRE SUN and TRE EVENING SUN may be left at any American District Messenger affice in the city.

DR. LOUIS WITH REPETTI.

Doctor Louis, who has been General Manager of Hudnut's High Class Pharmacy and Perfumerie at 925 Broadway for the past ten years, has resigned to accept a position as General Manager of Repettl's candy stores.

man, and is conceded to be the best expert on fruit syrups and fountain drinks in America; he has made it a life study.

Doctor Louis is a practical as well as a scientific

Doctor Louis will give his entire attention to the management of Repettl's stores and to the prep aration of ice-cream syrups and fountain drinks. Repetti's thousands of patrons will be pleased

drinks will be made the best in the world. while in the employ of Mr. Hudnut, and we speak for the Doctor's great success and congratulate Repetti upon obtaining his services.



CARAMELS The confection of purity, richness and quality

that made Repetti famous. The Name on Every Caramel.

169 Broadway Broadway & 42d St. 431 Fifth Ave. 46 W. 125th St. 328 Columbus Ave. and all leading druggists.

Telephone and Mail Orders promptly filled and shipped to any address

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Announce special sale AT REDUCED

PRICES of their Teas in packages

1 lb., 30c. and upwards Displays in all our stores.

Deliveries made out of town,

1/2 lb., 18c. and upwards

HUGHES CONFERENCE IN UTICA. Plans Made to Push His Candidacy in Oneida

County. UTICA, Jan. 27.-There was a conference in this city this afternoon of Oneida county Republicans who are active in pushing the candidacy hereabouts of Gov. Hughes for President. Assemblyman Merwin K Hart of the Hughes State League called the conference of three prominent Republicans from each Assembly district, and the conference, in accord with the plans of the league, appointed a representative in each Governor's candidacy. man Hart was named as the representa-tive in the First district, County Treasurer Henry W. Roberts of Clinton in the Second district and the Hon. John C. Evans of Rome

in the Third district. The conference was independent of the Hughes League which was formed in Oneida county a few weeks ago, with Timothy Curtin as president, but it is understood that steps will be taken to consolidate the organization formed by Mr. Curtin and his friends and the one to be developed along lines mapped out by the Hughes

BABY GIRL CRIED AND SCRATCHED

All the Time-Torturing Eczema Covered Her Body-Could Not Sleep-Doctor Said Sores Would

Last for Years-Skin Now Clear.

CURED IN THREE MONTHS BY CUTICURA REMEDIES

"I take great pleasure in telling you what a great help it was for me to use Cuticura Soap and Cuticura Ointment for my baby niece. She was suffering from that terrible torture, eczema. It was all over her body but the worst was on her face and hands. Her hands were a had that she could not hold anything. on her face and hands. Her hands were so bad that she could not hold anything. She cried and scratched all the time and could not sleep night or day from the scratching. I had her under the doctor's care for a year and a half and he seemed to do her no good. I took her to the best doctor in the city and he said that she would have the sores until she was six years old. But if I had depended on the doctor my baby would have lost her mind and died from the want of aid.

"I used all the remedies that everybody told me about and I tortured the child almost to death. Then I saw in the paper how Cuticura was the thing for irritating skin. I bathed her with warm water and Cuticura Soap and used the Cuticura Ointment. She was cured in three months. Now her skin is as clear and smooth as it could be. I shall

clear and smooth as it could be. I shall recommend the use of Cutioura wherever I see the skin in bad condition. Alice L. Dowell, 4769 Easton Ave., St. Louis, Mo., May 2 and 20, 1907."

GROWS HAIR Cuticura Removes Dandruff and Soothes Itching Scalps.

Warm shampoos with Cuticura Scap, and light dressings with Cuticura, prevent dry, thin, and falling hair, remove crusts, scales, and dandruff, destroy hair parasites, soothe irritated, itching surfaces, stimulate the hair follicles, loosen the scalp skin, supply the roots with energy and nourishment, and make the hair grow upon a sweet, wholesome, healthy scalp when all other treatment fails.

Complete External and Internal Treatment for Every Humor of Infants, Children, and Adulta con-sists of Cuticura Soap (25c.) to Cleanse the Skin, cuti-cura Ontenent (50c.) to Heal the Skin, and Cuti-cura Resolvent (50c.) for in the form of Chocolate Coaste Pills, 25c. per visi of 60 to Purity the Blood. Sold throughout the world. Potter Drug & Chem. Oors., Sole Props. Boston, Mass.